

BURSOR & FISHER, P.A.

L. Timothy Fisher (State Bar No. 191626)
Emily A. Horne (State Bar No. 347723)
Jenna L. Gavenman (State Bar No. 348510)
1990 North California Boulevard, Suite 940
Walnut Creek, CA 94596
Telephone: (925) 300-4455
Facsimile: (925) 407-2700
E-Mail: ltfisher@bursor.com
ehorne@bursor.com
jgavenman@bursor.com

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RACHEL GALARSA, individually and on behalf
of all others similarly situated,

Plaintiff,
v.

ASTRAL HEALTH & BEAUTY, INC. d/b/a
PUR COSMETICS,

Defendant.

Case No. 4:22-CV-07020-HSG

**STIPULATION AND ORDER RE:
BRIEFING SCHEDULE ON
DEFENDANT'S MOTION TO
DISMISS**

Hon. Haywood S. Gilliam, Jr.

1 Plaintiff Rachel Galarsa (“Plaintiff”) and Defendant Astral Health & Beauty, Inc. d/b/a PUR
 2 Cosmetics (“Defendant”) (collectively the “Parties”) respectfully submit this Stipulation and
 3 [Proposed] Order Regarding the Briefing Schedule on Defendant’s Motion to Dismiss Plaintiff’s
 4 First Amended Complaint. (ECF No. 28.)

5 WHEREAS, Plaintiff filed this action on November 9, 2022. (ECF No. 1.)

6 WHEREAS, Defendant filed a Motion to Dismiss on February 10, 2023. (ECF No. 15.)

7 WHEREAS, Plaintiff filed a First Amended Complaint on February 24, 2023 (ECF No. 20.),
 8 whereon the Court entered an Order terminating the prior motion to dismiss and directing Defendant
 9 to file any revised motion to dismiss by March 10, 2023, with such motion set to be heard on June 15,
 10 2023. (ECF No. 24.)

11 WHEREAS, Defendant filed a Motion to Dismiss Plaintiff’s First Amended Complaint on
 12 March 10, 2023. (ECF No. 28.)

13 WHEREAS, Plaintiff’s opposition to Defendant’s Motion to Dismiss is currently due on
 14 March 24, 2023, and Defendant’s reply brief is currently due on March 31, 2023.

15 WHEREAS, the parties met and conferred on March 14, 2023 and agreed to a briefing
 16 schedule for Defendant’s Motion to Dismiss.

17 NOW, THEREFORE, the Parties have agreed, subject to the Court’s approval, that Plaintiff’s
 18 opposition to the Motion to Dismiss will be due on or before April 17, 2023, and Defendant’s reply
 19 will be due on or before May 1, 2023. The Parties have also agreed, subject to the Court’s approval,
 20 that the hearing on Defendant’s Motion to Dismiss will remain on June 15, 2023 at 2:00 p.m. per the
 21 Court’s prior Order.

22 IT IS SO STIPULATED

23 Dated: March 16, 2023

BURSOR & FISHER, P.A.

24 By: /s/ L. Timothy Fisher

25 L. Timothy Fisher (State Bar No. 191626)
 26 Emily A. Horne (State Bar No. 347723)
 27 Jenna L. Gavenman (State Bar No. 348510)
 28 1990 North California Boulevard, Suite 940
 Walnut Creek, CA 94596
 Telephone: (925) 300-4455

Facsimile: (925) 407-2700
E-Mail: ltfisher@bursor.com
ehorne@bursor.com
jgavenman@bursor.com

Attorneys for Plaintiff

Dated: March 16, 2023

BALLARD SPAHR LLP

By: /s/ Scott S. Humphreys

Scott S. Humphreys (SBN 298021)
humphreyss@ballardspahr.com
Aliza Karetnick, *pro hac vice*
karetnicka@ballardspahr.com
Emilia L. McKee Vassallo, *pro hac vice*
mckeevassallo@ballardspahr.com
2029 Century Park East, Suite 1400
Los Angeles, CA 90067-2909
Telephone: 424.204.4400

Counsel for Defendant Astral Health & Beauty, Inc.

ATTESTATION OF E-FILED SIGNATURE

I, L. Timothy Fisher, attest that concurrence in the filing of the document has been obtained from Defendant's counsel, and that Defendant's counsel agreed to this stipulated extension.

By: /s/ L. Timothy Fisher
L. Timothy Fisher


ORDER

The Court, having reviewed the parties' stipulation and finding good cause therefor, hereby ORDERS as follows:

1. Plaintiff's opposition to Defendant's Motion to Dismiss (ECF No. 28) will be due on or before April 17, 2023.
2. Defendant's reply will be due on or before May 1, 2023.
3. The hearing on Defendant's motion will remain on June 15, 2023 at 2:00 p.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 3/20/2023


Hon. Haywood S. Gilliam, Jr.
UNITED STATES DISTRICT JUDGE